

### REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 34, 38 through 43, 46 through 49, and 51 through 55 are pending, with Claims 34, 40, 46, and 47 being independent. Applicant respectfully notes that Claims 44, 45, and 50 were cancelled without prejudice in the Preliminary Amendment filed June 19, 2002. Claims 29, 31, 33, 46, and 47 were allowed. Claims 29, 31, 33, and 35 through 37 have been cancelled without prejudice. Claims 34, 38, 40, 46, and 47 have been amended. Claims 51 through 55 have been added.

Applicants respectfully request return of the Form PTO-1449 from the Third Information Disclosure Statement filed June 19, 2002. Favorable consideration in this regard is earnestly solicited.

Claims 34 through 36, 40 through 42, 44, and 48 through 50 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 4,993,814 (Hata). Claims 39, 43, and 45 were rejected under 35 U.S.C. § 103 over Hata in view of U.S. Patent No. 6,236,522 (Shimizu). Claims 37 and 38 were objected to and indicated as being allowable if rewritten in independent form. All rejections and objections are respectfully traversed.

Claim 34 has been amended, inter alia, to include the features of objected-to Claim 37, with the numerical condition being omitted as surplusage; accordingly, allowance thereof is earnestly solicited.

Claim 40 recites, inter alia, that the movement locus of the first lens unit (consisting of, in order from the object side to the image side, a negative lens element, a negative lens element and a positive lens element) during zooming from the wide-angle end to the telephoto end includes a part which is movement to the object side.


However, Applicant respectfully submits that Hata fails to disclose or suggest at least the above-discussed claimed feature as recited, inter alia, in Claim 40, and that there has been no showing of any indication of motivation in Hata or Shimizu that would lead one having ordinary skill in the art to attempt to remedy such deficiency.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Attorney for Applicant

Daniel S. Glueck

Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

DSG/lmj

DC\_MAIN 107107 v 1



**VERSION WITH MARKINGS TO SHOW CHANGES MADE TO THE CLAIMS**

34. (Amended) A zoom lens comprising, in order from an object side to an image side,

a first lens unit of negative refractive power, located closer to the object side than any lens units of [the] said zoom lens, said first lens unit consisting of, in order from the object side to the image side, a positive lens element, a negative lens element, a negative lens element, and a positive lens element; and

a second lens unit of positive refractive power, said second lens unit consisting of, in order from the object side to the image side, a positive lens element, a negative lens element, and a positive lens element,

wherein the separation between [the] said first lens unit and [the] said second lens unit is varied during zooming [, and the following condition is satisfied:

$$3 \leq NL1 \leq 4$$

wherein NL1 is the number of lens elements comprising the first lens unit].

38. (Amended) A zoom lens according to Claim [37] 34, wherein said first lens unit consists of, in order from the object side to the image side, a positive lens element of bi-convex form, two negative lens elements of meniscus form convex toward the object side, and a positive lens element of meniscus form convex toward the object side.

39. (Unamended) A zoom lens according to Claim 34, wherein said second lens unit has an aspherical surface closest to the object side.

40. (Amended) A zoom lens comprising, in order from an object side to an image side,

a first lens unit of negative refractive power, located closer to the object side than any lens units of [the] said zoom lens, said first lens unit consisting of, in order from the object side to the image side, a negative lens element, a negative lens element and a positive lens element, and

a second lens unit of positive refractive power, said second lens unit having a positive lens element located closest to the object side and consisting of two positive lens elements and a negative lens element,

wherein the separation between [the] said first lens unit and [the] said second lens unit is varied during zooming, and

wherein the movement locus of said first lens unit during zooming from the wide angle end to the telephoto end includes a part which is movement to the object side.

46. (Amended) A camera comprising:

a zoom lens; [according to Claim 29; and]

an image pickup element provided on an image plane of said zoom lens; and

a parallel plate provided between said zoom lens and said image pickup element,

wherein said zoom lens comprises, in order from an object side to an image side,  
(1) a first lens unit of negative refractive power, located closer to the object side than any lens  
units of said zoom lens, said first lens unit consisting of, in order from the object side to the  
image side, a positive lens element, a negative lens element, a negative lens element, and a  
positive lens element, and (2) a second lens unit of positive refractive power, said second lens  
unit consisting of three positive lens elements and a negative lens element, wherein the  
separation between said first lens unit and said second lens unit is varied during zooming.

47. (Amended) A camera comprising:

a zoom lens [according to Claim 33; and]

an image pickup element provided on an image plane of said zoom lens; and

a parallel plate provided between said zoom lens and said image pickup element,

wherein said zoom lens comprises, in order from an object side to an image side,

(1) a first lens unit of negative refractive power, located closer to the object side than any lens  
units of said zoom lens, and (2) a second lens unit of positive refractive power, said second lens  
unit consisting of, in order from the object side to the image side, a positive lens element, a  
positive lens element, a negative lens element, and a positive lens element, wherein the  
separation between said first lens unit and said second lens unit is varied during zooming.